

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

JAVON HENRY GARDNER

PLAINTIFF

v.

Civil No. 6:20-cv-6007

WARDEN EMSWELLER; DEPUTY  
WHITE; A. RUH, (Chief of Security);  
LIEUTENANT R. STROTHER; SERGEANT  
BUKLAND; OFFICER STEPHENS;  
SERGEANT MORGAN; and LIEUTENANT  
JACKSON (all of Arkansas Community  
Correction Omega Center)

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed March 18, 2020, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 7). Judge Bryant conducted a preservice screening of Plaintiff Javon Henry Gardner's complaint and now recommends that the Court dismiss Plaintiff's complaint pursuant to 28 U.S.C. § 1915A. Specifically, Judge Bryant finds that Plaintiff fails to allege any facts to support a cognizable claim upon which relief may be granted. Accordingly, Judge Bryant recommends that the Court should dismiss Plaintiff's complaint without prejudice and that this dismissal should constitute a "strike" under 28 U.S.C. § 1915(g).

Plaintiff has not filed objections to the Report and Recommendation and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation (ECF No. 7) *in toto*. Plaintiff's complaint is hereby **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to place a "strike" flag on the case pursuant to 28 U.S.C. § 1915(g).

**IT IS SO ORDERED**, this 7th day of April, 2020.

/s/ Susan O. Hickey  
Susan O. Hickey  
Chief United States District Judge